

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

BOARD OF TRUSTEES, SHEET METAL)
WORKERS' NATIONAL PENSION FUND,)
et al.,)
Plaintiffs,)
v.) Civil Action No. 1:22cv1294 (PTG/WEF)
NEW YORK CHUTES, LLC)
Defendant.)

)

ORDER

This matter is before the Court on Plaintiffs' Motion to Withdraw its Second Motion for Default Judgment as to Defendant New York Chutes, LLC (the "Motion"). (Dkt. 54).

On September 29, 2023, Plaintiffs filed its Motion for Leave to File Second Amended Complaint (Dkt. 55), which was granted by the Court on October 2, 2023. Plaintiffs' pending Motion for Default Judgment (Dkt. 49) is therefore moot.

Accordingly, it is hereby

ORDERED that Plaintiffs' Motion (Dkt. 54) is **GRANTED**; it is further

ORDERED that Plaintiffs' Motion for Default Judgment (Dkt. 49) is deemed withdrawn.

The Clerk is directed to forward copies of this Order to Defendant by mail and e-mail at the following addresses, provided at Dkt. 5:

New York Chutes LLC
P.O. Box. 234
Lebanon, NJ 08833
nychutes@gmail.com

ENTERED this 2nd day of October, 2023.

William E. Fitzpatrick
WILLIAM E. FITZPATRICK
UNITED STATES MAGISTRATE JUDGE

Alexandria, Virginia